



वायु यातायात नियंत्रक गिल्ड (भारत)

महादेशिक नागरिक विमानन  
C/o Dir. Gen. of Civil Aviation

प्राप्त किया / RECEIVED

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RECEIPT & ISSUE SECTION

03.10.2022

CC/ATCG/Operations/2022/ 08

The Director General of Civil Aviation  
Opposite Safdarjung Airport  
Aurobindo Marg, New Delhi – 110003

{ Kind Attention:- Sh. R. S. Jamwal Director (Operations)}

Sub: Watch Duty Time Limitations and Rest requirements of Air Traffic Control Officers.

Sir,

Reference may please be made to Civil Aviation Requirements, Section 9 – Airspace and Air Navigation Services Standards, Series L, Part VII, Issue II, F.No.DGCA-21048/02/2022-ANS dt. 01<sup>st</sup> September 2022 on subject matter, placed on DGCA website for comments. The major concerns of Air Traffic Controllers regarding WDTL CAR amendments are enlisted below:-

1. **Two Consecutive Night Duties** : - In the very first instance, the draft amendments proposed to WDTL CAR looks to be impressed from the duty timings followed by Western Countries. Some of these Countries like U.K. follow a pattern of 2 earlies, 2 lates, 2 nights, 4 offs, total working hours around 48 hours in 10 days. The important fact here is that such countries have almost 5 hours airport closures during night and gives a good rest/sleep time for ATCOs and very less traffic density for rest of the night duty period. Many European nations have the night closures resulting into less workload and stress levels for the controllers.

Contrary to the above fact, in India the major chunk of traffic especially overflying traffic in Area/ Oceanic Control centers is during night duty period which requires the controllers to be most active and results in high stress levels during such periods which also includes the window of circadian low. **Regulations allowing ANSPs for putting ATCOs for successive night duties will be one of the biggest safety hazards for this safety critical profession.**

2. **Limiting Night Duty duration to 10 Hours** :- Reference to clause 7.3(a) of the proposed draft the definition of night duty is changed to "a duty which covers all or part of the period of night duty shall not exceed 10 hours", whereas as per the clause 6.3.1.1 of CAR dated 21<sup>st</sup> October, 2020, "a duty which covers all or part of the period of night duty shall not exceed 12 hours". This change comprehended with the removal of clause 6.2.2.2 effectively makes no distinction between day duties and night duties and requires Controllers to work with 2-hour duty break patterns similar to the day duties. Thereby, completely disregarding the Window of Circadian Low (WOCL) period defined in the proposed CAR itself and outrightly ignoring the extended rest requirements of night duties and health concerns of the ATC personnel.

The clause 7.3(b) of the proposed draft which mandates that “no more than 2 consecutive duties shall be worked which cover all or part of the period of night duties”. In this context, it is also to be considered that night duty in itself stretches up to 2 days i.e., from evening to next day morning. If this clause permit the commencement of the next night duty from the evening of the same day when the previous night duty was completed.

As per clause 6.3.2 of CAR dated 21 October, 2020, interval after night duties “a minimum period of 48 hours shall occur between the end of duties which cover all or part of the period of night duty and the commencement of the next period of duty” whereas as per the proposed draft (Issue II dated 01 Sep, 2022) “a minimum period of 54 hours shall be provided between the end of duties which cover all or part of the period of night duty or **two consecutive night duties** and the commencement of the next period of duty.”

**Reducing night duty period to 10 hours will require odd night shift timings change and pose a security threat to women ATCOs safety and also overburden their health.**

3. **Increase in aggregate duty period hours:-** As per the original CAR dated 21<sup>st</sup> October, 2020 (6.1.1.2) the aggregate of duty period hours shall not exceed 45 hours within a defined period of 144 consecutive hours or 6 consecutive days. However, as per the draft (Issue II) dated 01<sup>st</sup> September, 2022, the aggregate of duty period hours shall not exceed beyond the maximum cumulative duty period hours mentioned in the table below:

<b>Maximum duty period limitation within the time frame (days)</b>	<b>Max Cumulative duty period (hours)</b>
<b>7</b>	<b>60</b>
<b>15</b>	<b>130</b>
<b>30</b>	<b>200</b>

The rationale behind the proposed increase of 15 hours (from 45 hours to 60 hours) by cumulatively increasing 1 additional day (6 days to 7 days) is beyond our comprehension. It is brought to your kind notice that cumulative working hours for all non-operational Government Departments including ATC Officials performing General Duties are 42.5 hours over a period of 7 days. Even the duty period of class D personnel in AAI are 48 hours. As your good office is already aware that ATC is not only an operational duty where officials work in odd hours but also it is a stressful and safety related service. While subjecting ATCOs to additional working hours and subsequent fatigue, prevailing working conditions characterized by outdated Automation Systems at many stations, poor VHF performance, bare minimum or completely absent (at many stations) facilities and infrastructure needed for rest and relief of ATCOs should also have been taken into account.

As per the International Labour Organisation (ILO) Working Paper (CONDI/T/WP.6/1995), on Occupational Stress and Stress Prevention in Air Traffic Control, "the consecutive period of duty should not exceed 50 hours in a 7 day cycle". The same papers mention a citation of Italian ATC Company ANAV which has for years adopted a fast-rotating shift schedule on a six-day cycle which cumulates to 31 hours of duty in 7 days. We may also take cognizance of the weekly duty hours of other prominent countries. In UAE, ATC duty hours are 48 hours in 10 days which accounts to 33.6 hours in 7 days. Netherlands and Denmark ATC duty roster requires 37.3 hours per 7 days. The same figure is 33.6 hours/week for UK Airports and 31.5 hours for Spain ATC.

In addition to this, we would also like to mention that as per Union Government's new Labour Codes, 48 hours is the maximum limit for one week work capacity. Even 1948 Factories Act (Section 51 and Section 59), states that "every adult (a person who has completed 18 years of age) cannot work for more than 48 hours in a week (applicable for Skill Level 4 Category). Our working hours are being extended in contravention to these Union Govt Acts, effectively making the proposed CAR, WDTE i.e., Watch Duty Time Enhancement CAR rather than WDTL.

Apart from this Enhancement of duty timings, the clause 7.1.1.(b) read along with 7.1.3.(b) and (c), leaves scope for additional duties (OPA/ on call Duties/ Stand by or reserve) to be imposed on the ATCOs amid already sprawling duty hours. We therefore request clear guidelines of such clauses like 7.1.3.(c) to avoid any misinterpretation or ambiguity.

4. **Break in Operational duty:-** In the draft (Issue II) dated 01 Sep, 2022 clause 6.2.2 from the CAR has been omitted and clause 7.2.2 a) is introduced which mandates break from operational duty after every 2 hours even during the night duties. Instead of completely omitting the 4-hour break pattern of night duties, which is a time-tested methodology and has been in practice in ATC units since long, it would have served the purpose better if Airport Acceptance Rate or ATS Unit Capacity for various ATC units at stations are defined by AAI and subsequently, combined with ATFM measures the manpower can be managed during day/night duties. Even in the CAR dated 21<sup>st</sup> October, 2020, 4-hour break during the operational duty was maintained. We fail to understand the pedagogy behind the newly introduced amendments and how would it serve to manage the stress and fatigue of the duty period which according to the same document contains period of Window of Circadian Low. As is well known, there's a 15 min Hand Over/ Take Over time which is excluded from the duty break of 2 hours. We wonder how it is contemplated that an ATC at 4 AM in night, having barely slept for an hour or two and that too in parts would be able to gather all his mental energy and perform duty with the best cognitive abilities required to perform this safety critical profession. If the same clause is inspired from Western Countries' Airports, we would like you to acknowledge that in most of these countries Aerodromes are either closed at night for minimum 5 hours (due to noise abatement procedures) or they have negligible traffic load at nights which is worked upon by a minimal number of Controllers. Whereas, the time zone that we fall upon, entrusts us a handsome number of foreign overflying aircrafts to cater to. Even our

airports have a considerable number of night movements. Apart from that, we would like you to please be compassionate of our health and well-being as well and analyze the impacts that such pattern is going to have on the personnel performing shift duties.

As per the original DGCA CAR Section 9, AIRSPACE AND AIR NAVIGATION SERVICES STANDARDS, SERIES L PART VII DATED 21 OCTOBER 2020, which was effective from 5 Nov, 2020 (F. No.: DGCA-21048/10/2018-ANS), ATC Unit Capacity was taken into account to regulate the break in operational duty. However, in the new draft of WDTL Issue II, dated 01 Sep, 2022, there is no consideration of ATC Unit Capacity to regulate the break in Operational Duty. We seek the rationale behind this complete disregard of an important measure of the traffic pattern and subsequent stress levels pertaining to an ATC Station, in a striking deviation from the letter and spirit of the original CAR (Refer para 6.2.2 of the original CAR "At ATC units where workload for any part of the day is less than the 50% of defined Airport Acceptance Rate/ ATC unit capacity and the activity is spasmodic rather than continuous, periods of operational duty, at these times, may be extended to a maximum of four hours, provided that the following break is taken pro-rata (e.g., 45 minutes after 3 hours or 60 minutes after 4 hours)").

**Draft CAR is silent about non-operational duties like Simulator training, Refresher training, Skill enhancement/evidence-based training, etc. No mention of Oceanic Control Centre (OCC) in the definition of Air Traffic Control unit (ATC unit).**

5. **No consideration is given to the health of ATCOs:-** ICAO DOC 9966 says that a "recovery of normal sleep pattern after an accumulated sleep debt takes at least two nights of unrestricted sleep" which is further emphasized in **Chapter 2, Page 2-27 "Operational Implication Scheduling"**. Any safety-critical task without addressing the sleep debt will adversely affect the quality of work and lead to dangerous situations.

**Refer ED/ATM/2010/V1.01-WHRS-CRPT:** (Review of Working Hours and Roster of Air traffic Controllers by ATM directorate in 2010) The committee set up by AAI, had done extensive study and valuable research on various roster patterns and analyzed the ATM in India and many other countries. The committee in Section 14 recommends 5 shift patterns with proper Clear OFF to minimize sleep deficit and fatigue and allow an adequate recovery of lost sleep.

**Recommending two consecutive night duties is a safety hazard for aviation safety and a health hazard for the controller.**

As per ICAO Fatigue Management, Long-Term Sleep Restriction and Health – Research suggests that people who report less than 7 hours of sleep per night are at greater risk of becoming obese and developing type-2 diabetes and cardiovascular disease.

We request you to formulate the shift duty pattern based on scientific principles of fatigue management, since it is the question of health and well being of ATC personnel who are also required to be fit medically in order to perform duties. In the same context, we would like to bring to the fore, a similar letter by the Indian Commercial

Pilot's Association (ICPA) which seeks changes in fatigue management norms for flight crew and such norms to be based on scientific principles, operational knowledge and experience. The letter dated 12 September, 2022 and addressed to DGCA says, "Scrap all the current regulations, circulars, et cetera regarding Fatigue Management for flight crew as they violate all the Scientific Principles and various Operational Knowledge and Experience promulgated in various ICAO SARPs."

6. Pilot and Air Traffic Controller (ATC) both come under the licensing regime but at present, the working conditions and facilities provided to Air Traffic Controllers are not conducive to come under the purview of Watch Duty Time Limitations (WDTL). For instance, Pilots get facilities like cabs for pick and drop, cafeteria, etc. while 10 hours duty timing roster for ATCOs will raise major safety and security concerns, especially for ladies as it takes from 1.5-2 hours to reach home, especially in Category A and some Category B Airports. WDTL for pilot and ATCO cannot be applicable in toto.
7. As per para 6.2 and 6.6 of the draft, it is the responsibility of the ATCO to report fatigue hazards and not perform safety relevant tasks when he/she is fatigued. Regarding the same, it needs to be elaborated that how exactly can fatigue be determined and quantified. Should an ATCO whose all attention and energy is channeled into providing error free Services be solely made responsible for reporting the fatigue? And why not factors such as ATC Unit/Sector Capacity and Aerodrome Acceptance Rate are taken into account to determine fatigue and thereby associated hazards? Apart from this, please elucidate the measures and responses that are to be undertaken when fatigue situation takes place, considering the availability of manpower (as less as 2 or 3) at many stations. Also, how it is assumed that a controller performing second consecutive night duty and having barely rested for an hour or two would be free of fatigue?
8. Current WDTL does not take into account frequent watch extensions and manpower constraints of smaller stations. For example, Many Airports have posting of 2-3 ATCOs. How are they to avail medical/emergency leaves when the manpower posted is at bare minimum? Some clauses of WDTL cannot be implemented pan India and some way out based on air traffic movements (both scheduled and non-scheduled, training flights, overflying flights, movements in Control Area or Control Zone, type of Approach and facilities available, Category of Airport, watch hours, etc.) have to be sorted out to cater the present operational requirements of these stations. Later, with the induction of trained manpower at all stations, WDTL can be implemented on such airports also, as per the CAR dated 21 October, 2020.

**In view of the above, ATC Guild (I) submits the following suggestions for your kind consideration:-**

**The existing WDTL CAR dated 21<sup>st</sup>, October, 2020, is good enough with few challenges in its implementation which are to be addressed as mentioned below.**

1. Amend the existing CAR by introducing definition of ATC Schedule, ATC Unit, ATS Unit, ATS in-charge, ATS Station, Window Of Circadian Low (WOCL) from the proposed draft dated 01 Sep, 2022 while keeping ATC Capacity definition intact in the existing CAR;
2. Replace, " Air Navigation Service Provider", with, "Air Traffic Service Provider" (as proposed in new draft).
3. Existing CAR dated 21 October, 2020 is already being followed by most of the Category A and Category B stations except during night duties owing to high volume of traffic in some sectors (e.g. overflying International flights in OCC Units of Chennai and Mumbai and Area Control Centre of some stations). For these stations and specific units, regular reports of deviations or violations from the WDTL CAR and safety hazard logs can be maintained. These reports and logs along with the sector capacity and Airport Acceptance Rate can be utilized by DGCA and also by AAI CHQ to provide manpower accordingly to the stations. And until then, the station specific exemptions should be provided.

Stations falling in Category C, D and E have even more constraints in the implementation of the existing CAR. These airports are mostly operating with lesser manpower and frequent changes/extension in watch hours due to weather scenarios/non-scheduled movements, VIP movements, other administrative work etc. Such airports may need a longer exemption till sufficient manpower is provided to them and subsequently trained.

4. Non-operational duties like Simulator Training, Refresher Class, Evidence-based Training, Skill Enhancement etc. are integral part of ATC Services that should be also be considered and regularized. Appropriate provisions must be introduced to provide duty break and rest to the Controller undergoing these trainings/duties.
5. Night Duty limit of 12 hours as per Para 6.3.1.1 and 48 hour duty break after a night duty as per Para 6.3.2 of the existing CAR are appreciated and should be maintained. **Whereas, we have serious concerns and objections about the proposed 10 hour night duty with 2 hour duty break pattern**, as proposed in the new draft.
6. As per the original CAR dated 21<sup>st</sup> October, 2020 (6.1.1.2) the aggregate of duty period hours shall not exceed 45 hours within a defined period of 144 consecutive hours or 6 consecutive days. This clause may please be kept intact for ATCOs maximum aggregate of duty period hours.
7. Point 7.2.2(Note) in proposed CAR dated 1<sup>st</sup> September 2022 – "A total relief from exercising the privileges of Air Traffic Controller's license including co-ordination with other ATS units, supervisory roles shall be considered as a break" , is a welcome step and it should be included in existing CAR dated 21<sup>st</sup> October 2020.

Sir, with the number of suggestions/comments received at your end, it is very much evident that the new proposed amendments in WDTL CAR for ATCOs is a big safety hazard for Indian Aviation system and its provisions like successive night duties, reduced break period during night duties are definitely going to result in fatigue for ATCOs and will put a heavy toll on ATCOs health conditions which ultimately result in their reduced medical fitness at least by a 8-10 years early, resulting in wastage of highly skilled and heavily invested manpower for the Air Traffic Service Provider. Hence, we request your kind consideration for various suggestions provided by Air Traffic Controllers.

Assuring our best cooperation.

Regards



(Alok Yadav)  
General Secretary

Copy to:

- 3/10/22*
1. The Secretary, Ministry of Civil Aviation, Rajiv Gandhi Bhawan, New Delhi – 110003
  2. PS to Hon'ble Minister of Civil Aviation, Rajiv Gandhi Bhawan, New Delhi-110003 *3/10/22*
  3. The Chairman, AAI, CHQ, Rajiv Gandhi Bhawan, New Delhi - 110003

